

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
MARSHALL DIVISION**

LEON STAMBLER,

Plaintiff,

v.

ATMOS ENERGY CORP., et al

Defendants.

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CIVIL ACTION NO. 2:10-cv-594

**JURY TRIAL DEMANDED**

**AGREED MOTION TO DISMISS DEFENDANTS WAL-MART STORES, INC. AND  
WAL-MART.COM USA, LLC WITH PREJUDICE**

Pursuant to Fed. R. Civ. P. 41(a)(2) and (c), Plaintiff Leon Stambler ("Plaintiff") and Defendants Wal-Mart Stores, Inc. and Wal-Mart.com USA, LLC move the Court to dismiss with prejudice from the above-entitled and numbered cause any and all claims by Stambler against Defendants Wal-Mart Stores, Inc. and Wal-Mart.com USA, LLC and to dismiss with prejudice all counterclaims by Defendants Wal-Mart Stores, Inc. and Wal-Mart.com USA, LLC against Stambler. Each party shall bear its own costs and attorneys' fees. A proposed order is attached.

**DATED: October 30, 2012.**

/s/ Brent N. Bumgardner

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 30th day of October, 2012, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Brent N. Bumgardner

**CERTIFICATE OF CONFERENCE**

I certify that on October 30, 2012, I conferred with counsel for Defendants Wal-Mart Stores, Inc. and Wal-Mart.com USA, LLC and they are in agreement with this motion.

/s/ Brent N. Bumgardner